



Traffic Services Section Michigan State Police Field Update #6

Providing Traffic Related Information and Services to Michigan Law Enforcement

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Motorcycles

Helmets

Once again, legislation has been proposed to amend the requirement of motorcycle riders to wear crash helmets. **At this time, the law has not changed.** [MCL 257.658\(4\)](#) currently requires helmets for all riders and passengers, and any moped rider less than 19 years of age. Pursuant to the administrative rule [R 28.951](#), helmets are approved for use in Michigan if the manufacturer certifies that they meet Federal Motor Vehicle Safety Standard ([FMVSS](#)) 218. Information on motorcycle safety, including [recognizing an approved helmet](#), can be found on the National Highway Transportation Safety Administration [website](#).

Loud Exhaust

While it is difficult to determine whether a motorcycle is exceeding the decibel levels found in [MCL 257.707c\(1\)\(b\)](#) as it passes at 55 or 70 mph, there are other sections that are enforceable without a decibel meter. [MCL 257.707\(1\)](#) prohibits the operation of a motor vehicle with exhaust that is not "in good working order and in constant operation to prevent **excessive or unusual noise** and annoying smoke," if the baffles in the muffler have been removed, destroyed, or damaged, or the motorcycle is equipped with a cutout, bypass, or similar device. [MCL 257.707c\(3\)](#) also prohibits the operation if the motorcycle "is not equipped with a muffler or other noise dissipative device, or is equipped with a cutout, bypass, amplifier, or similar device." [MCL 257.707b](#) requires that a motorcycle be "equipped with an exhaust system in good working order to prevent excessive or unusual noise." Type "motorcycle exhaust" into any [search engine](#) to link to numerous sites offering instruction and tips on making motorcycles louder.

Enforcement action can also be taken under [MCL 257.707c\(2\), \(4\), \(5\), or \(6\)](#) against the person or dealership that either modifies the exhaust or sells a motorcycle with loud or modified exhaust, while [MCL 257.707d](#) also makes the person who modifies the exhaust civilly responsible if the operator receives a citation.

Press Releases and Media Information

With the advent of the summer travel season, federally funded media campaigns and special enforcement initiatives are in full swing. When presenting information to the media, be aware of the unintended consequences of the terminology used to portray the initiative. Terms like "aggressive enforcement," "zero tolerance," and "wolf pack" have the potential to portray police as overzealous, and can be detrimental to both the specific initiative and law enforcement activities in general.

Speed Enforcement in Work Zones

The Michigan Department of Transportation (MDOT) has recently instituted a policy of posting all freeway construction projects with a 45 mph speed limit, regardless of whether there is lane closure or work activity in the immediate area. Enforcement efforts are most effective in increasing traffic safety and, therefore, are most appropriate when directed toward those areas where the speed limit is reduced because of lane reduction and work activity in the immediate area. Most work zone-related crashes occur due to merging in lane reduction areas, or speed differentials between vehicles prior to entering the zone.

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